GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA

STARRED QUESTION NO:497
ANSWERED ON:29.04.2002
MONEY COLLECTED THROUGH DERESERVATION OF LAND
VSM (RETD.) COL. CHOUDHARY

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether attention of the Government has been drawn to the news-item captioned `Environment Ministry fined again` appearing in the Times of India dated January 12, 2002;

(b) if so, the details and the facts of the matter reported therein;

(c) whether the Government have ordered any enquiry to fix up responsibility for lapse in formulating a scheme to utilize the money deposited for change of land use as ordered by the apex Court; and

(d) if so, the details and outcome thereof?

Answer

MINISTER FOR ENVIRONMENT AND FORESTS (SHRI T.R.BAALU)

(a) to (d) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN PARTS (a) TO (d) OF REPLY TO THE LOK SABHA STARRED QUESTION NO. 497 BY (RETD.) SONA RAM CHOUDHARY REGARDING `MONEY COLLECTED THROUGH DERESERVATION OF LAND` DU REPLY ON 29.04.2002.

(a) and (b) The news item referred to in the question appeared in the Times of India dated 19th February, 2002.

The facts are that in one Interlocutory Application (No. 574) in Writ Petition (Civil) No. 202/1995 filed in the Supreme Court, the issue of compensatory afforestation stipulated while granting clearances under Forest (Conservation) Act, 1980 for diversion of forest land for non-forestry purposes, not being carried out in a satisfactory manner was raised. The Supreme Court, in its order dated 8.9.2000 desired that the responsibility of carrying out the compensatory afforestation should be put on the project authorities and directed that the Ministry to submitted a scheme for taking appropriate action for considering and amending the rules and guidelines relating to compensatory afforestation. In compliance thereof, Ministry of Environment & Forests filed an affidavit in the Court on 03.01.2001, with a scheme for carrying out compensatory afforestation.

In another Interlocutory Application (No. 566) in Writ Petition (Civil) No. 202/1995, the Supreme Court, in its order on 23.11.2001 asked the Ministry to formulate a scheme, whereby, whenever forest land is permitted for non-forestry use, the responsibility of raising compensatory afforestation should be on the user agency.

Since a detailed affidavit had been filed earlier as mentioned above, the lawyers were requested to apprise the Court of the scheme already filed by the Ministry but somehow the matter escaped attention of the Court. Therefore, the Supreme Court imposed a cost of Rs. 5,000/- on the Ministry for non-submission of the affidavit on 18.2.2002.

(c) & (d) The Ministry has also filed an affidavit before the Supreme Court stating all these facts and has requested the Court to waive of the fine. As the scheme had been formulated by the Ministry and filed in the Supreme Court in time, no officer in the Ministry can be held responsible for lapse.